

December 13, 1976

## Memorandum

To: Mr. John Menke, President, County Council

From: James A. Mills, President, M.C.G.E.O.

Subject: Bill #11-76, Draft #2

MONROE COUNTY  
COUNCIL OFFICE

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Having recently reviewed Draft #2, of the above, and the Memorandum dated 12/10/76, submitted to you by Mr. Gleason.. I make the following requests and observations.

Mr. Gleason's request to include a management rights clause is unacceptable in its entirety. The position he expounds, though worded differently is one which was thoroughly discussed and rejected during work sessions. If adopted, it would limit labor's right to present its position in written factual form to management. That could seriously hamper proper justification of labor's positions and make thoughtful indepth considerations required in problem solving extremely difficult. Also, the limits and specifics of what these management rights entail are not clearly defined.

Mr. Gleason also points out in his memorandum of 12/10/76, that enactment of Bill #11-76 under emergency legislative conditions will result in "immediate responses" from employee groups for recognition and that would require supplemental funds to implement. I can assure you that Bill #11-76, if passed in its present form, would not produce from this organization any "immediate responses" for recognition. I predicate this opinion on the mood evidenced by our Delegate Assembly at its last meeting.

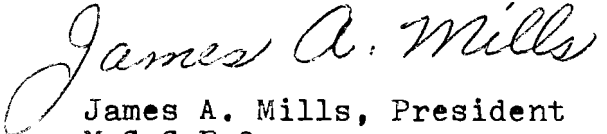
No two aspects of this bill are of more importance to this organization (and management as well) than membership eligibility and dues check-off. The limits this bill imposes on membership eligibility are totally unacceptable. Not only would it eliminate our Vice-President of Supervisors if enacted, but our organization would be effectively split as well (less than 600 members would remain). Some of the more important results of this split would be immediate fragmentation within the remaining membership, outside unions then would acquire an immediate favorable position because of our failure to secure a voice for all employees. Lack of visible results on this bill have already produced this effect to some degree as Mr. Lloyd is aware, and has made my task a much more difficult one. A large segment of county employees would also be deprived of formal recognition and all the rights that accompany formal recognition. Polarization of staff and supervisors would occur immediately and radical elements would be provided with the necessary "ammunition" to strengthen their causes and direct their actions toward the public arena rather than the conference table. Finally, fragmentation will produce successful demands for an increase in the number of "appropriate units" (more organizations) if not under this council, then under the next council. This is a situation management as well as this organization would not like to witness and need not occur..

Therefore, I request that lines 47 through 78, in Draft #2 of Bill #11-76 be deleted in its entirety. That strong consideration be given by the County Council to replace the deleted material with the eligibility format contained in our original Bill #23-76 and favorably accepted (almost unanimously) by speakers testifying when the bills were introduced. Certainly lines 25 through 29 ("The Council further states that the eligibility as to membership in an employee unit for purposes of meet and confer will not necessarily be extended in the same manner if authority for collective bargaining is granted.") should eliminate any concern the council might have should they grant our request.

I remember well, my earlier testimony before the council when bills #11-76 and #23-76 were introduced. Councilman Hovsepien requested me not to adopt an inflexible position concerning grievances prior to worksession discussion. His suggestion was thoughtfully considered and later adhered to.

I now request the council not to become inflexible in their position on eligibility and hear our plea. We have an opportunity to establish a formal channel of communication between management and labor that will not be predicated upon the "adversary roll" we have so often heard mentioned. Employees do not want to become adversaries of management but partners with management so as to effectively and economically carry out the will of the public whom we all serve.

As a parting comment, I would like to emphasize the fact that the employee/employer relations bill is no different than any other law and could be readily amended by this legislative body should it be deemed necessary. Therefore, I urge your most serious consideration and efforts to grant this organization its request. Place your trust in the employees you manage and that trust will bear dividends for management, labor, and the general public. Management can then negotiate with an employee organization that represents all the employees and not various groups of outside unions that represent some of the employees. Once the main body of county employees are represented by various outside unions rather than an employee's organization, you will find it impossible to legally limit their participation in "appropriate units". This must be avoided now.

  
James A. Mills, President  
M.C.G.E.O.

cc: To all Council members.